

11-29-05

PCT



IAP10 Rec'd PCT/PTO 28 NOV 2005

Docket No.: HO-P03130US0  
(PATENT)

4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Richard Merrick

Application No.: 10/524,421

Confirmation No.: @@@

Filed: August 18, 2003

Art Unit: N/A

For: SHELF-STABLE MEAT ANALOGUES  
COMPRISING GLYCEROL AND GLUCOSE

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of the items listed on form PTO/SB/08 is given for each listed item.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

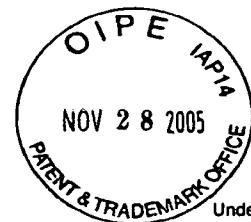
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P03130US0. A duplicate copy of this paper is enclosed.

Dated: November 28, 2005

Respectfully submitted,

By   
Jan K. Simpson  
Registration No.: 33,283  
FULBRIGHT & JAWORSKI L.L.P.  
Fulbright Tower  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5151  
(713) 651-5246 (Fax)  
Attorney for Applicant



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				Application Number	10/524,421
				Filing Date	August 18, 2003
				First Named Inventor	Richard Merrick
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	HO-P03130US0

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
/H.B./	AA*	US-3,202,514	08-24-1965	Burgess, et al.	
	AB*	US-3,904,769	09-09-1975	Sair, et al.	
	AC*	US-3,968,268	07-06-1976	Sair et al.	
	AD*	US-4,534,989	08-13-1985	Gellman et al.	
	AE*	US-5,665,419	09-09-1997	Teraguchi et al.	
	AF*	US-4,055,681	10-25-1977	Balaz et al.	
	AG*	US-5,922,392	07-13-1999	Kelly et al.	
	AH*	US-4,070,490	01-24-1978	Lugay et al.	

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
/H.B./	BA	WO-WO 01/17364 A1	03-15-2001	Effem Foods Pty Ltd.	
/H.B./	BB	WO-WO 00/69276	11-23-2000	Howsam	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
/H.B./	CA	www.foodproductdesign.com, July 1993, Scott Hegenbart, "Exporting Dimensions in Intermediate Moisture Foods".			
/H.B./	CB	Taoukis, P.S. et al., "Intermediate Moisture Foods" 1987; <a href="http://www.fsci.umn.edu/Ted_Labuza/papers/IMF.pdf">http://www.fsci.umn.edu/Ted_Labuza/papers/IMF.pdf</a>			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Hamid Badr/	Date Considered	12/19/2007
--------------------	--------------	-----------------	------------

25600788



NOV 28 2005

Application No. (if known): 10/524,421

Attorney Docket No.: HO-P03130US0

## **Certificate of Express Mailing Under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 678180037 US in an envelope addressed to:

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on November 28, 2005  
Date

 Katie Johnson

Typed or printed name of person signing Certificate

**Registration Number, if applicable**

**(713) 651-3768**  
**Telephone Number**

**Note:** Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

**IDS (Citation) by Applicant (1 page)  
Information Disclosure Statement  
Return Receipt Postcard**